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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,934

03/26/2004

Akira Yamamoto

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32294

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06/08/2007

SQUIRE, SANDERS & DEMPSEY L.L.P.

14TH FLOOR

8000 TOWERS CRESCENT

TYSONS CORNER, VA 22182

EXAMINER

AFZALI, SARANG

ART UNIT

PAPER NUMBER

3726

MAIL DATE

DELIVERY MODE

06/08/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/809,934

Applicant(s)

YAMAMOTO ET AL.

Examiner

Sarang Afzali

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed 3/16/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4-8 is/are pending in the application.
- 4a) Of the above claim(s) 7 and 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4 and 5 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. The applicant's amendment filed on 3/16/2007 has been fully considered and made of record.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Chung (US4082180). Chung teaches a motorized roller comprising: a roller body **20,30** of the motorized roller; a motor **46** disposed inside the roller body **20,30**; a reducer **40** which is disposed inside the roller body **20,30**, and reduces the rotation of the motor **46**; and a rotor **112** which is disposed inside the roller body **20,30**, and connected with the reducer **40** and the roller body **20,30** to transmit power of the reducer **40** to the roller body **20,30**; wherein the roller body **20,30** comprises a first roller body **20** and a second roller body **30**, and an axial end section of a second roller body side of the first roller body **20** and an axial end section of a first roller body side of the second roller body are connected at a power transmission section between the rotor and the roller body.

Note that the connection is at axial end sections of both first and second roller bodies in oppose to middle sections (or non-end sections) of the first and second roller bodies.

4. Claim 4 is alternatively, rejected under 35 U.S.C. 102(b) as being anticipated by Agnoff (US5088596). Agnoff teaches (Fig. 1) a motor **70**, reducer **120**, a rotor **82**, wherein the roller body comprises a first roller body **16** and a second roller body **20** and an axial end section of a second roller body side of the first roller body **16** and an axial end section of a first roller body side of the second roller body **20** are connected (at **20c**) at a power transmission section between the rotor and the roller body.

Note that the connection section is considered a power transmission section located between the rotor **82** and the end of roller body **16** and that the connection is at axial end sections (**20c**) of both first and second roller bodies in oppose to middle sections (or non-end sections) of the first and second roller bodies.

5. Claims 4-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Fannin et al. (US6447336). Fannin et al. teach a motor **82**, reducer **84**, a rotor **89**, wherein the roller body comprises a first roller body **104** and a second roller body **88** and an axial end section of a second roller body side of the first roller body **104** and an axial end section of a first roller body side of the second roller body **88** are connected at a power transmission section between the rotor and the roller body.

Note that the connection is at axial end sections of both first and second roller bodies in oppose to middle sections (or non-end sections) of the first and second roller bodies.

The inner peripheral surfaces of the first roller body **104** and the second roller body **88** are connected to an outer peripheral surface of the rotor **89**.

***Allowable Subject Matter***

6. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

***Response to Arguments***

7. Applicant's arguments filed 3/16/2007 have been fully considered but they are not persuasive.

8. Applicant argues (Remarks, page 3, lines 1-11) that "as clearly shown in FIGS. 1, 3(A), and 3(B) of the present application, the configuration of the first and second roller bodies of the present invention are not taught or suggested by Chung" and furthermore argues that "Chung does not teach or suggest a configuration where the end sections of the sides of the conveyor belt 20 and the cylindrical rim 30 are connected at a power transmission section between the rotor and the roller body."

The Applicant further argues (Remarks, page 4, lines 20 & 21, page 5, lines 1-7) that "Fannin fails to teach or suggest, at least, "an axial end section of a second roller body side of the first roller body and an axial end section of a first roller body side of the second roller body are connected at a power transmission section between the rotor

and the roller body,” as recited in independent claim 4. Fannin does not describe nor illustrate a configuration where the end sections of the sides of the outer plate 104 and the outer tube 88 are connected at a power transmission section between the rotor and the roller body.”

The Examiner respectfully disagrees with the above arguments and believes that both Chung and Fannin et al. teach that an axial end section of a second roller body side of the first roller body and an axial end section of a first roller body side of the second roller body are connected at a power transmission section between the rotor and the roller body.

Note that the newly added limitation of “an axial end section” is still taught by both Chung and Fannin et al. since they both disclose the roller bodies are connected to each other at their end sections and not at their middle sections and thus they both teach the newly added limitation of claim 4.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Figs. 1, 3(A) and 3(B)) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarang Afzali whose telephone number is 571-272-8412. The examiner can normally be reached on 7:00-3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3726

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SA

6/4/2007



DAVID P. BRYANT  
SUPERVISORY PATENT EXAMINER

6/5/07